

REMARKS

Claims 5-19 and 22-27 are pending. Claims 9-11 have been allowed, claim 5 has been amended, and claim 13 been re-written into independent form in order to place it into condition for allowance. Also, the specification has been amended to include a cross-referencing paragraph.

Reconsideration of the application is respectfully requested for the following reasons.

In the Office Action, the Examiner maintained the rejection of claims 5, 7, 8, 12, and 27 under 35 USC § 102(b) for being anticipated by the Vellaikal article. Applicant respectfully traverses this rejection for the following reasons.

Claim 5 has been amended to recite that the determining step includes "cross-matching different grid levels of the reference image and target image." As explained in detail in Applicant's Amendment dated October 30, 2003, the Vellaikal article does not disclose this cross-matching step. Absent this feature, it is respectfully submitted that claim 5 and its dependent claims are allowable over the Vellaikal article.

The Examiner issued a rejection under 35 USC § 112, first paragraph, for failing to enable the subject matter in claims 6, 14-19, and 22-26. Specifically, the Examiner contends that the specification fails to describe how to compute the reliability score recited therein. Applicant traverses this rejection by converting the present application into a continuation-in-part of U.S. Patent No. 6,721,447, a copy of which is enclosed.

In order for the patent application to qualify as a continuation-in-part of the '447 patent, the following requirements must be satisfied:

- 1) The present application must have been filed while the '447 patent was pending.
- 2) The present application and '447 patent must have at least one common inventor.
- 3) The present application must be amended to reference the Kim patent

All of the requirements set forth above have been satisfied. Specifically, the present application was filed (January 31, 2000) during the pendency of the '447 patent (filing date: January 10, 2000; issue date: April 13, 2004). The present application and the '447 patent name Hyeon-Jun Kim and Jin Soo Lee as common inventors. And, this paper amends the specification of the present application to include a cross-referencing paragraph to the '447 patent.

Moreover, the '447 patent provides a description sufficient to enable one skilled in the art how to make and use the subject matter of claims 6 and 14, e.g., the '447 patent discloses multiple techniques for computing reliability information indicative of accuracies of region representative color values in accordance with the present invention.¹ See, for example, Figs. 2-8, which show specific steps of these techniques.

Because the parent of the present application (namely, the '447 patent) enables the subject matter of claims 6, 14-19, and 22-26, it is respectfully submitted that withdrawal of the the §112, first paragraph, rejection is proper.

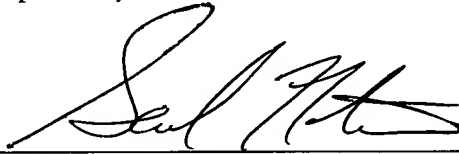
¹ While the techniques disclosed in the '447 patent disclose some of the ways in which the reliability information and reliability scores of the claimed invention may be computed, Applicant emphasizes that these are not the only ways. The disclosure of the '447 patent is therefore not intended to limit the scope of the claims with regard to this or any other claimed feature.

Reconsideration and withdrawal of all the rejections and objections made by the Examiner is hereby respectfully requested.

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. Favorable consideration and prompt allowance of the application is respectfully requested.

To the extent necessary, Applicants petition for an extension of time under 37 CFR § 1.136. Please charge any shortage in fees due in connection with this application, including extension of time fees, to Deposit Account No. 16-0607 (Attorney Docket No. P-082) and credit any excess fees to the same Deposit Account.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Carl R. Wesolowski', written over a horizontal line.

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